## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL ACTION NO. 3:21-CV-00178-FDW-DSC

JENNIFER HARDMAN,	)	
Plaintiff,	)	
<b>v.</b>	)	<u>ORDER</u>
MAINSTREET FINANCIAL GROUP INC.,	) )	
Defendant.	)	

**THIS MATTER** is before the Court on "Plaintiff's Motion to Compel Discovery Responses and Sanctions" (document #16) and "Defendant's Motion for Extension of Time to Produce Discovery" (document #20) as well as the parties' briefs and exhibits.

The Court has carefully reviewed the record, the authorities and the parties' arguments. Plaintiff seeks an order compelling Defendant to provide complete supplemental responses to her First Set of Interrogatories Numbers 3, 10 and 13 and First Set of Requests for Production of Documents Numbers 2, 3, 4, 7, 9, 10, 13, 15, 17, 18, 20, and 21. For the reasons stated in her briefs, the Court finds that Plaintiff is entitled to complete responses to these discovery requests.

In its "Response..." Defendant represents that it has made complete responses to all of the discovery requests except for Requests to Produce Number 15 (ESI information) and Numbers 3 and 10 (peer information). Document #19 at 1-2. Defendant represents that it has encountered technical issues in producing ESI information data but is now producing it on a "rolling basis." <u>Id.</u> at 9-10.

The parties disagree whether Defendant withheld responsive documents based upon a

claim of privilege. Defendant has not served a privilege log.

**IT IS HEREBY ORDERED** that:

1. "Plaintiff's Motion to Compel Discovery Responses and Sanctions" (document #16) is

**GRANTED IN PART** and **DENIED IN PART**. Specifically, Defendant's objections

to Plaintiff's First Set of Interrogatories Numbers 3, 10 and 13 and First Set of Requests

for Production of Documents Numbers 2, 3, 4, 7, 9, 10, 13, 15, 17, 18, 20, and 21 are

**OVERRULED**. Within thirty days of this Order, Defendant shall serve complete

responses to Plaintiff's discovery requests.

2. If Defendant contends that it has previously produced all responsive documents and

other information in its custody and control concerning a specific request, it shall state

its compliance in a verified discovery response.

3. The parties shall pay their own costs at this time.

4. "Defendant's Motion for Extension of Time to Produce Discovery" (document #20) is

DENIED AS MOOT.

5. The Clerk is directed to send copies of this Order to counsel for the parties and to the

Honorable Frank D. Whitney

SO ORDERED.

Signed: February 3, 2022

David S. Cayer

United States Magistrate Judge